

Remarks

Claims 1-12 and 21-37 were pending in the subject application. Claims 23-37 have been withdrawn. Accordingly, claims 1-12 and 21-22 are now before the Examiner. Favorable consideration of the pending claims is earnestly requested.

Claims 1-2 and 21-22 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sweetland (U.S. Patent No. 3,345,037) in view of Linton *et al.* (U.S. Patent No. 4,176,824). The applicant respectfully traverses this grounds for rejection. A *prima facie* case of obviousness has not been presented. Three criteria must be met to establish *prima facie* case of obviousness. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference. Second, there must be a reasonable expectation of success. Finally, the prior art reference, or combination of references, must teach or suggest all the claim limitations. Applicant respectfully traverses the rejection since the prior art does not provide any suggestion or motivation to modify the Sweetland to arrive at the subject invention as claimed in claims 1-12 and 21-22, and there is no reasonable expectation of success of such a modification. The Office Action states “[t]o employ in Sweetland a first piece mounted to the vehicle and a second piece mounted to the vehicle jack would have been obvious for one skilled in the art at the time the invention was made in view of the disclosure of Linton”. However, the Office Action does not provide any indication where to employ in Sweetland a first piece mounted to the vehicle mounted to the vehicle and a second piece mounted to the vehicle jack, or how to movably connect the first piece to the second piece such that the second piece can transition between a plurality of positions. The applicant asserts that there is no motivation to modify the Sweetland reference as stated in the Office Action and there is no reasonable expectation of success of such a modification relative to the first piece.

The Office Action states that one of ordinary skill in the art would have been motivated to do this in order to enable the A-frame mounted jack of Sweetland to be able to transition between a plurality of vehicle positions such that the jack will be initially positioned at a correct vertical position relative to the ground before jacking is begun. However, the supporting device B taught in the Sweetland reference incorporates a “supporting flange 38 rigidly mounted to the shaft ... [i]mmediately above flange 38 is a cylindrical bushing 39, also rigidly attached to the shaft ...

[b]elow flange 38 is another bushing 40 spaced from the flange and also rigidly attached to shaft 30” (see column 2, lines 54-58). The Sweetland reference teaches “[i]n operation, yoke A is held at an elevation wherein the shaft 30, in the areas above bushing 39 and 40, can fit through mouths 43 and 44 into keyways 25 and 26; in the aforesaid position, shaft 30 is maintained in vertical alignment ... [y]oke A is then lowered wherein plate 13 at the area adjacent keyway 25 rests upon flange 38 to support the yoke” (see column 2, lines 66-72). Accordingly, the Sweetland reference relies on keyway 25 resting upon flange 38 to support the yoke, such that the mounting of the second piece 32 taught by Linton to the trailer jack (supporting device B) taught by Sweetland and the mounting of the first piece 38 taught by Linton to the A-frame coupler of the trailer taught by Sweetland would not function to allow the trailer jack (supporting device B) mounted to the second piece to transition between a plurality of positions relative to the trailer mounted to the first piece without defeating the mechanism the Sweetland reference relies on to support the yoke, namely keyway 25 resting upon flange 38. In fact, the Sweetland reference teaches, as column 1, lines 35-36, “it is obvious that the yoke support must be removed when the trailer is again connected to a pulling vehicle” and, at column 1, lines 36-44, “[i]t is a principal object of the invention to provide a support removeably engageable with the yoke ...” Therefore, the Sweetland reference teaches removing the supporting device B when the trailer is connected to a pulling vehicle. Accordingly, the applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1-2 and 21-22 under 35 U.S.C. §103(a).

Claims 3-12 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sweetland in view of Linton *et al.* taken with Ebey (U.S. Patent No. 4,623,125). The deficiencies with respect to the rejection of claims 1-2 and 21-22 over Sweetland *et al.* in view of Linton *et al.* have been discussed above. The Ebey reference does not cure such defects. Therefore, the applicant respectfully requests reconsideration and withdrawal of the rejection of claims 3-12 under 35 U.S.C. §103(a).

In view of the foregoing remarks and amendments to the claims, the applicant believes that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

Applicant invites the Examiner to call the undersigned if clarification is needed on any aspect of this response, or if the Examiner believes there remains any valid ground upon which any claim in this application may be rejected subsequent to entrance of this amendment.

Respectfully submitted,



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Attachments: Petition and Fee for Extension of Time